

## LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

### for June 8, 2004 PLANNING COMMISSION MEETING

This is a combined staff report for related items. This report contains a single background and analysis section for all items. However, there are separate conditions provided for each individual application.

**PROJECT #:** Special Permit #04067, Use Permit #139A

**PROPOSAL:** To remove a portion of the existing use permit and incorporate that portion into a special permit for a community unit plan, and increase the use permit area to meet the minimum area requirement for the I-3 district.

**LOCATION:** Generally located south of NW of the I-80 and N. 27<sup>th</sup> Street interchange.

#### **WAIVER REQUEST:**

##### **Special Permit:**

Sidewalk on one side of the private road	Minimum lot depth
Minimum lot area	Average lot width
Front yard setback	Side yard setback
Rear yard setback	Double frontage lots
Private road Design Standards	Design Standards for curb and gutter

<b>LAND AREA:</b>	Special Permit:	22 acres, more or less.
	Use permit:	53 acres, more or less.

**CONCLUSION:** With conditions the requests are in conformance with the Comprehensive Plan, Comprehensive Plan Amendment and Subdivision and Zoning Ordinances.

**RECOMMENDATION:** Use Permit:

Conditional approval

Special Permit

Conditional approval

##### **Waivers:**

Sidewalk on one side of private road:	Denial
Minimum lot depth:	Approval
Minimum lot area:	Approval
Average lot width:	Approval
Front yard setback:	Approval
Side yard setback:	Approval
Rear yard setback:	Approval
Double frontage lots:	Approval
Private road Design Standards for inverse crown:	Approval
Private road Design Standards for turnaround geometry	Approval
Design Standards for curb and gutter:	Approval

#### **GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** See attached.

**EXISTING ZONING:** I-3, Industrial Park, AG, Agricultural.

**EXISTING LAND USE:** Undeveloped.

**SURROUNDING LAND USE AND ZONING:**

North:	Undeveloped	B-2, AG, R-3
South:	Interstate	AG
East:	Interstate	AG
West:	Undeveloped	R-3, B-2, AG, I-3

**ASSOCIATED APPLICATIONS:** Annexation #05009, Comprehensive Plan Amendment #05013, Change of Zone #04081.

**COMPREHENSIVE PLAN SPECIFICATIONS:** This area is shown as Industrial and Environmental Resources in the Comprehensive Plan. (F-25)

- F-54     Saline and Freshwater Wetlands – Wetlands provide distinctive habitat opportunities for various plants and animals, as well as offering flood control and water filtration benefits. Lancaster County is home to about 1,200 acres of very rare Eastern Nebraska Saline Wetlands. These wetlands offer a specialized habitat to several threatened and endangered species, including the Saltwort and Salt Creek Tiger Beetle. Lancaster County is the only place in the world where the Tiger Beetle exists. Owing to a dwindling Beetle population and the growth of the city, the National Fish and Wildlife Service is considering placing the Beetle on the Federal Threatened and Endangered Species list. The City and County are investigating ways to protect and preserve the unique habitat offered by the saline wetlands. This may include a blend of land uses stressing education, parks, floodplain, and low intensity development.
- F-65     Guiding Principles of Residential - Affordable housing should be distributed throughout the region to be near job opportunities and to provide housing choices within every neighborhood. Preserve existing affordable housing and promote the creation of new affordable housing throughout the community.
- F-66     The guiding principles for new neighborhoods are a combination of principles found in this section in addition to the principles for all other sections within the plan, such as Business and Commerce and Mobility and Transportation. A neighborhood is more than housing – great neighborhoods combine all the elements of parks, education, commercial areas, the environment and housing together in one place.
- F-67     Encourage a mix of housing types, single family, townhomes, apartments, elderly housing all within one area;
- Similar housing types face each other: single family faces single family, change to different use at rear of lot

Parks and open space within walking distance of all residences;

Multi-family and elderly housing nearest to commercial area;

Pedestrian orientation; shorter block lengths, sidewalks on both sides of all roads;

Public uses (elementary schools, churches) as centers of neighborhood – shared facilities (city parks & school sites).

**HISTORY:** Use Permit #139 with 500,500 square feet of employment center floor area. was approved by the City Council in August 2001.

The area was zoned A-A, Rural and Public Use until 1979 when the zone was updated to AG, Agricultural.

**UTILITIES:** Available to the site.

**TOPOGRAPHY:** The grade drops at the property line adjacent the Interstate, leaving the site lower than the Interstate approximately 10' on the east portion of the site, the west portion of the site is generally level with the interstate right of way grade at the property line.

**TRAFFIC ANALYSIS:** Interstate 80 is classified as an Urban/Rural Interstate & Expressway and Humphrey Avenue is a local road built to commercial standard.

**ENVIRONMENTAL CONCERNS:**

There are existing wetlands in the area shown as Environmental Resources in the Comprehensive Plan. The use permit site plan indicates these to be located in an outlot for preservation. It appears that there is grading proposed in this area. Any grading may require a 404 permit.

The Lincoln Lancaster County Health Department indicates that noise levels will be high due to the proximity of the interstate to the proposed residential units. The Nebraska Department of Roads indicated concern with proximity of residential to the Interstate due to noise levels. The Nebraska Department of Roads indicated in their attached letter the 71 DBA noise level line as it crosses this property. Both the Lincoln Lancaster County Health Department and the Nebraska Department of Roads believe that noise buffers should be installed with this project and a note should be added to the site plan to indicate as such. The Nebraska Department of Roads specifically requested an earthen berm and noise wall in combination. Planning staff believes that the design of the houses along the Interstate provides some buffer due to the garage at the rear of the house, but believes additional mitigation should be provided to the satisfaction of the Nebraska Department of Roads and Lincoln Lancaster County Health Department.

The proximity of residential to potentially hazardous materials is a concern when a residential district abuts an industrial district. A note on the site plan of the use permit indicates that the storage of potentially hazardous materials will be restricted within 300' of the adjacent residential. This was a condition of the original annexation agreement and a note on the original use permit.

**ANALYSIS:**

1. This is a request to remove a portion of the existing use permit (approximately 22 acres) for development as a community unit plan with 124 dwelling units. The use permit must then be expanded (by approximately 22 acres) to meet the minimum area for the I-3 district (50 acres) with 478,455 square feet of employment center floor area. There is an associated Comprehensive Plan Amendment to replace the Industrial with Urban Residential, an application to change the zone from I-3 to R-3 and AG to I-3, and an annexation for the new I-3 area, approximately 22 acres.
2. The request for the community unit plan includes waivers to sidewalk on one side of the private road, minimum lot depth, minimum lot area, average lot width, front yard setback, side yard setback, rear yard setback, double frontage lots, private road Design Standards, Design Standards for curb and gutter, and the preliminary plat process. This waiver is no longer necessary, because the applicant agreed to provide the sidewalk as required. The waiver of the preliminary plat process is no longer necessary due to the recent changes in the Subdivision Ordinance.
3. The applicant indicated this is an innovative design of the cul-de-sacs, which led to a smaller parkway which made it difficult to provide a sidewalk as well as enough space to gain access to the utilities for maintenance purposes without having to replace the sidewalk. The applicant also indicated that the cul-de-sacs serve a small number of units and pavement is proposed without curb and gutter allowing wheelchair access from either side. See attached exhibit.
4. Planning staff believes that sidewalks should be provided on both sides of all private roadways, and is an important safety feature for pedestrians. Sidewalks provide a safe place for people of all ages to walk, and or bike. Planning staff believes the problems cited by the applicant are self created and that minor redesign will provide the necessary area for the sidewalk. Planning staff believes the requests to modify front, side and rear yard setbacks, minimum lot width, depth and area are acceptable as this is a unique neighborhood concept.
5. The Use Permit indicates 478,455 square feet of employment center floor area. The original use permit indicated 500,500 square feet of floor area. The revised floor area is acceptable to the Planning Department and is consistent with the original approval for the employment center. There are no waivers requested with this amendment to the use permit.

6. The Public Works and Utilities Department had several comments in their attached memo.
7. The Emergency Communications 911 Center indicated Lucca Place approximates an existing street name, Luke Street. This street name must be changed.
8. The Fire Department indicated a concern with lack of facilities and resources in the area and increased response times.
9. The Lincoln Electric System requested additional easements and notes.
10. Watershed Management had several comments in their attached memo.
11. The United States Fish and Wildlife Service indicated they had no objection.
12. The Lincoln Lancaster County Health Department had several comments in their memo regarding hazardous materials.

**SPECIAL PERMIT CONDITIONS:**

Site Specific:

1. This approval permits 124 dwelling units with waivers to minimum lot depth, minimum lot area, average lot width, front yard setback, side yard setback, private roadway standards for inverse crown, private roadway cul-de-sac geometry, rear yard setback, and double frontage lots.
2. If any final plat on all or a portion of the approved community unit plan is submitted five (5) years or more after the approval of the community unit plan, the city may require that a new community unit plan be submitted, pursuant to all the provisions of section 26.31.015. A new community unit plan may be required if the subdivision ordinance, the design standards, or the required improvements have been amended by the city; and as a result, the community unit plan as originally approved does not comply with the amended rules and regulations.
3. Before the approval of a final plat, the public streets, private roadway improvements, sidewalks, sanitary sewer system, water system, drainage facilities, land preparation and grading, sediment and erosions control measures, storm water detention/retention facilities, drainageway improvements, street lights, landscaping screens, street trees, temporary turnaround and barricades, and street name signs, must be completed or provisions (bond, escrow or security agreement) to guarantee completion must be approved by the City Law Department. The

improvements must be completed in conformance with adopted design standards and within the time period specified in the Land Subdivision Ordinance.

4. Permittee agrees:

- 4.1 to complete the street paving of public streets shown on the final plat within two (2) years following the approval of the final plat.
- 4.2 to complete the paving of private roadways shown on the final plat within two (2) years following the approval of this final plat.
- 4.3 to complete the installation of sidewalks along both sides of the streets and along the south side of Humphrey Avenue as shown on the final plat within four (4) years following the approval of the final plat.
- 4.4 to construct the sidewalk in the pedestrian way easements at the same time as the adjacent street is paved and to agree that no building permit shall be issued for construction on the adjacent lots on both sides of easement until such time as the sidewalk in the pedestrian way easement is constructed.
- 4.5 to complete the public water distribution system to serve this plat within two (2) years following the approval of the final plat.
- 4.6 to complete the public wastewater collection system to serve this plat within two (2) years following the approval of the final plat.
- 4.7 to complete the enclosed public drainage facilities shown on the approved drainage study to serve this plat within two (2) years following the approval of the final plat.
- 4.8 to complete the enclosed private drainage facilities shown on the approved drainage study to serve this plat within two (2) years following the approval of the final plat.
- 4.9 to complete land preparation including storm water detention/retention facilities and open drainageway improvements to serve this plat prior to the installation of utilities and improvements but not more than two (2) years following the approval of the final plat
- 4.10 to complete the installation of public street lights along all streets within this plat within two (2) years following the approval of the final plat.
- 4.11 to complete the installation of private street lights along all streets within this

plat within two (2) years following the approval of the final plat.

- 4.12 to complete the planting of the street trees along all streets within this plat within four (4) years following the approval of the final plat.
- 4.13 to complete the planting of the landscape screen within this plat within two (2) years following the approval of the final plat.
- 4.14 to complete the installation of the street name signs within two (2) years following the approval of the final plat.
- 4.15 to complete any other public or private improvement or facility required by Chapter 26.23 (Development Standards) of the Land Subdivision Ordinance in a timely manner which inadvertently may have been omitted from the above list of required improvements.
- 4.16 to submit to the Director of Public Works a plan showing proposed measures to control sedimentation and erosion and the proposed method to temporarily stabilize all graded land for approval.
- 4.17 to complete the public and private improvements shown on the Community Unit Plan.
- 4.18 to retain ownership of or the right of entry to the outlots in order to maintain the outlots and private improvements on a permanent and continuous basis and to maintain the plants in the medians and islands on a permanent and continuous basis. However, the subdivider may be relieved and discharged of this maintenance obligation upon creating, in writing, a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance. The subdivider shall not be relieved of such maintenance obligation until the private improvements have been satisfactorily installed and the documents creating the association have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.
- 4.19 to continuously and regularly maintain the street trees along the private roadways and landscape screens.
- 4.20 to submit to the lot buyers and home builders a copy of the soil analysis.
- 4.21 to comply with the provisions of the Land Preparation and Grading requirements of the Land Subdivision Ordinance.

- 4.22 to perpetually maintain the sidewalks in the pedestrian way easements on Outlots D, H and I at their own cost and expense.
- 4.23 to properly and continuously maintain and supervise the private facilities which have common use or benefit, and to recognize that there may be additional maintenance issues or costs associated with providing for the proper functioning of storm water detention/retention facilities as they were designed and constructed within the development, and that these are the responsibility of the land owner.
- 4.24 to relinquish the right of direct vehicular access from Humphrey Avenue from Lots 1-3, 16-20, 33-35, Block 1, Lots 1 and 50, Block 3.

General:

5. Before receiving building permits:

- 5.1 The permittee shall complete the following instructions and submit the documents and plans to the Planning Department office for review and approval.
  - 5.1.1 A revised site plan including 6 copies showing the following revisions:
    - 5.1.1.1 Noise mitigation measures to the satisfaction of the Lincoln Lancaster County Health Department.
    - 5.1.1.2 Remove unnecessary waivers from the waivers table and add the waiver to turnaround geometry.
    - 5.1.1.3 Include a detail on the site plan showing the common drive access for lots sharing access in Block 3.
    - 5.1.1.4 Utility Easements to the satisfaction of the Lincoln Electric System.
    - 5.1.1.5 Street names that do not approximate nor duplicate existing street names.
    - 5.1.1.6 Revisions to the satisfaction of the Public Works and Utilities Department.
  - 5.1.2 A permanent final plan with 5 copies as approved.



- 5.1.3 Ornamental street lights for private roadways and pedestrian way easements are approved by L.E.S.
- 5.1.4 The construction plans comply with the approved plans.
- 5.1.5 Final plat(s) is/are approved by the City.
- 5.2 The required easements as shown on the site plan are recorded with the Register of Deeds.

STANDARD CONDITIONS:

- 6. The following conditions are applicable to all requests:
  - 6.1 Before occupying the dwelling units all development and construction is to comply with the approved plans.
  - 6.2 All privately-owned improvements, including landscaping and recreational facilities, are to be permanently maintained by the owner or an appropriately established homeowners association approved by the City.
  - 6.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
  - 6.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
  - 6.5 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the applicant.
- 7. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions approving previous permits remain in force unless specifically amended by this resolution.

**USE PERMIT CONDITIONS:**

Site Specific:

1. This approval permits 478,455 square feet of employment center floor area.

General:

2. Before receiving building permits:
  - 2.1 The permittee shall complete the following instructions and submit the documents and plans to the Planning Department office for review and approval.
    - 2.1.1 A revised site plan showing the following revisions:
      - 2.1.1.1 Indicate how floor area is distributed by use type, or reference the required use type ratios as required by the I-3 district.
      - 2.1.1.2 Utility Easements to the satisfaction of LES.
      - 2.1.1.3 Revisions to the satisfaction of the Public Works and Utilities Department.
      - 2.1.1.4 Revisions to the satisfaction of the Watershed Management section of the Public Works and Utilities Department.
      - 2.1.1.5 Revision of general site note #19 to the satisfaction of the Lincoln Lancaster County Health Department.
    - 2.1.2 A permanent reproducible final site plan as approved.
  - 2.2 Ornamental street lights for private roadways and pedestrian way easements are approved by L.E.S.
  - 2.3 The construction plans comply with the approved plans.
  - 2.4 Final plat(s) is/are approved by the City.
  - 2.5 The required easements as shown on the site plan are recorded with the Register of Deeds.

STANDARD CONDITIONS:

3. The following conditions are applicable to all requests:
  - 3.1 Before occupying this employment center all development and construction is to comply with the approved plans.
  - 3.2 All privately-owned improvements, including landscaping, are to be permanently maintained by the owner or an appropriately established homeowners association approved by the City.
  - 3.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
  - 3.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
  - 3.5 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.
4. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions approving previous permits remain in force unless specifically amended by this resolution.

Prepared by

Becky Horner, 441-6373, [rhorer@lincoln.ne.gov](mailto:rhorer@lincoln.ne.gov)  
Planner

**DATE:** April 14, 2005

**APPLICANT/  
OWNER:** Stone Bridge Creek LLC  
3801 Union Drive, Suite 102  
Lincoln, NE 68516  
(402) 494-5650

**CONTACT:** Jason Thiellen  
Engineering Design Consultants  
2200 Fletcher Avenue, Suite 102  
Lincoln, NE 68521

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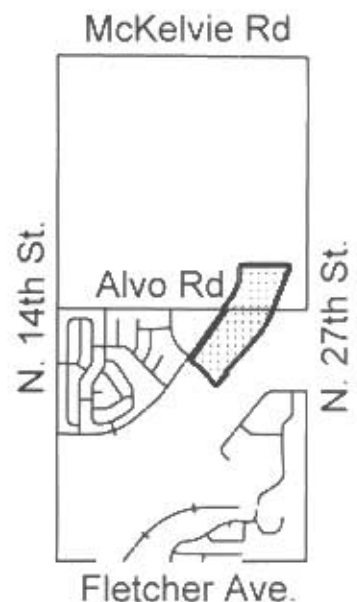
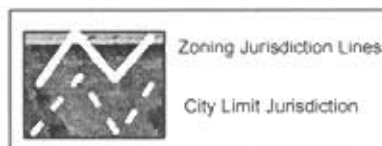
2002 aerial

## Use Permit #139A Humphrey Ave. & Redstone Rd

### Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

Two Square Mile  
Sec. 25 T11N R6E  
Sec. 36 T11N R6E



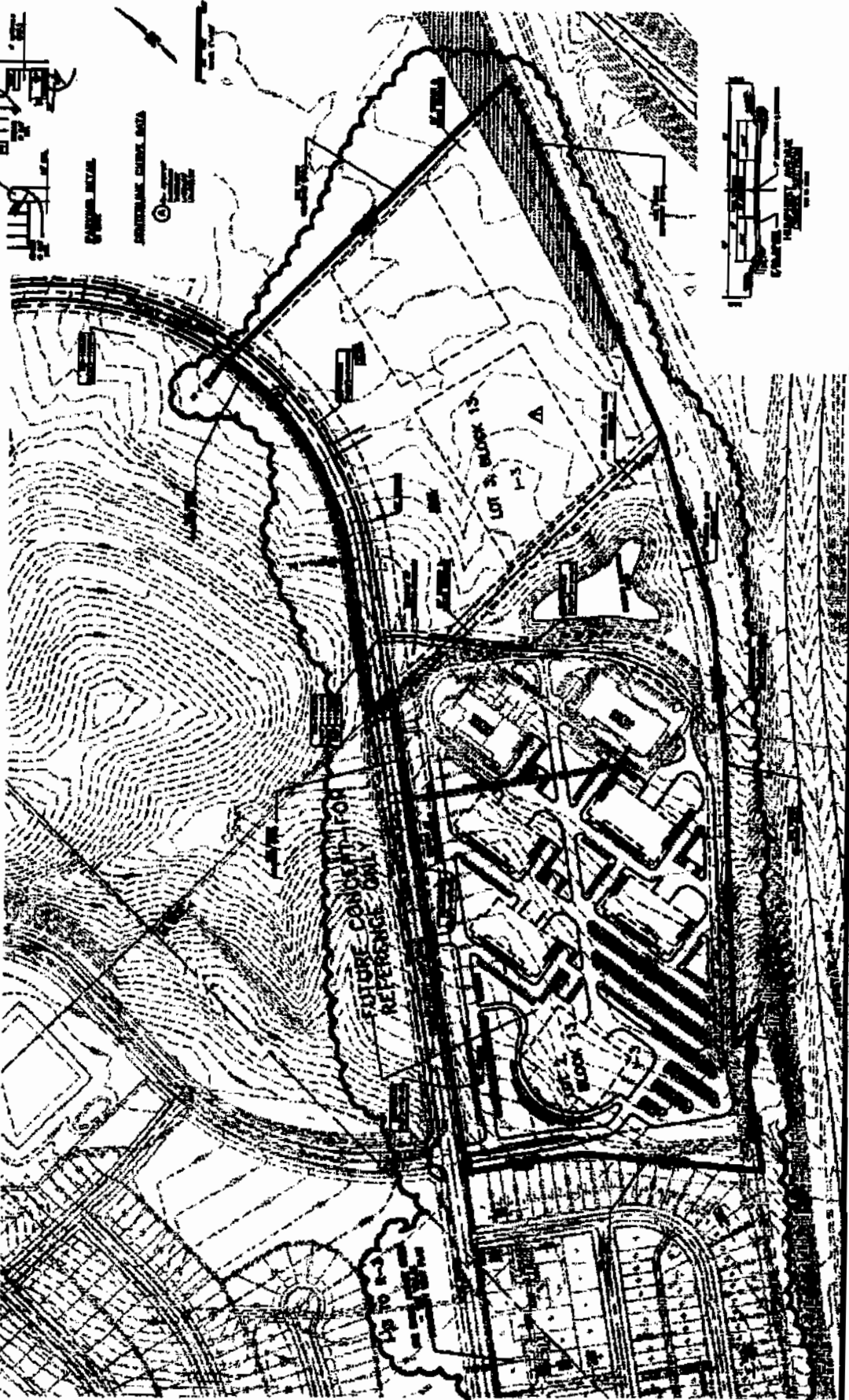


# STONE BRIDGE CREEK AMENDMENT TO USE PERMIT #139

LAND USE/PERMITS

LAND USE	PERMIT #	DATE	STATUS	REMARKS
1	139	05/17/2005	ACTIVE	AMENDMENT TO USE PERMIT #139
2	139	05/17/2005	ACTIVE	AMENDMENT TO USE PERMIT #139
3	139	05/17/2005	ACTIVE	AMENDMENT TO USE PERMIT #139
4	139	05/17/2005	ACTIVE	AMENDMENT TO USE PERMIT #139
5	139	05/17/2005	ACTIVE	AMENDMENT TO USE PERMIT #139

- LEGEND
- EXISTING ROAD
  - EXISTING DRIVE
  - EXISTING SIDEWALK
  - EXISTING CURB
  - EXISTING FENCE
  - EXISTING UTILITY
  - EXISTING STRUCTURE
  - EXISTING LANDSCAPE
  - EXISTING TREES
  - EXISTING ROCKS
  - EXISTING WATER
  - EXISTING EROSION
  - EXISTING DRAINAGE
  - EXISTING FLOODING
  - EXISTING WIND
  - EXISTING SOIL
  - EXISTING CLIMATE
  - EXISTING BIODIVERSITY
  - EXISTING CULTURE
  - EXISTING HISTORY
  - EXISTING ECONOMY
  - EXISTING SOCIETY
  - EXISTING POLITICS
  - EXISTING LAW
  - EXISTING ETHICS
  - EXISTING RELIGION
  - EXISTING ARTS
  - EXISTING SCIENCE
  - EXISTING TECHNOLOGY
  - EXISTING INNOVATION
  - EXISTING CREATIVITY
  - EXISTING IMAGINATION
  - EXISTING DREAMS
  - EXISTING HOPE
  - EXISTING FAITH
  - EXISTING LOVE
  - EXISTING KINDNESS
  - EXISTING PATIENCE
  - EXISTING HUMILITY
  - EXISTING GRACE
  - EXISTING MERCY
  - EXISTING GENTLENESS
  - EXISTING PEACE
  - EXISTING JOY
  - EXISTING LOVE
  - EXISTING KINDNESS
  - EXISTING PATIENCE
  - EXISTING HUMILITY
  - EXISTING GRACE
  - EXISTING MERCY
  - EXISTING GENTLENESS
  - EXISTING PEACE
  - EXISTING JOY



STONE BRIDGE CREEK-AMENDMENT TO USE PERMIT #139

LANDS, PROVIDED

STUDY PLAN

SCALE: 1" = 100'

DATE: 05/17/2005

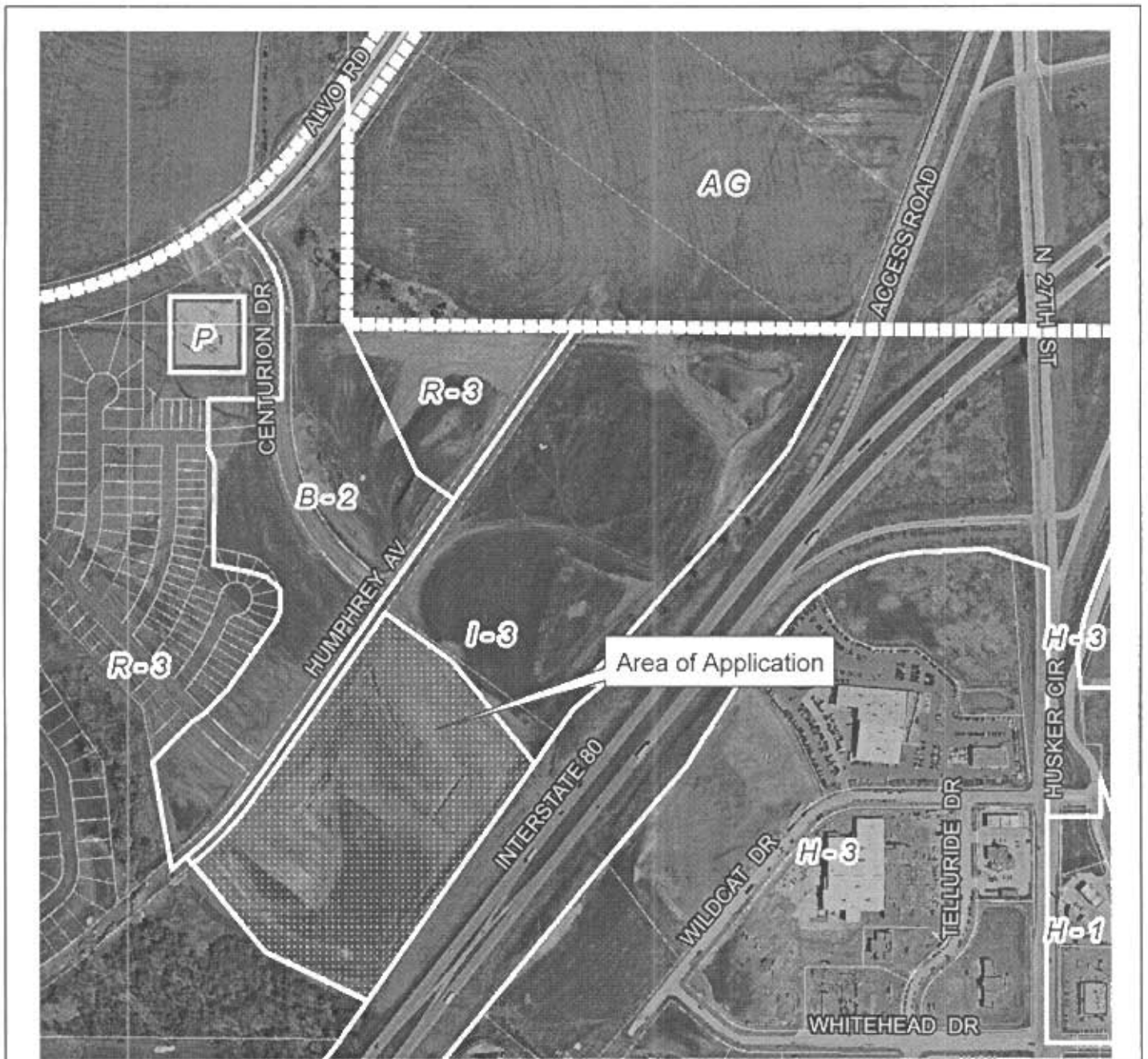
BY: [Signature]

**STONE BRIDGE CREEK VILLAS  
USE PERMIT**

**LOT 2 AND A PORTION OF LOT 1, BLOCK 5, STONE BRIDGE CREEK ADDITION  
LOCATED IN THE NORTHEAST QUARTER OF SECTION 36, AND A PORTION OF  
LOTS 39, 47, 49 & 50 IRREGULAR TRACTS LOCATED IN THE SOUTHEAST  
QUARTER OF SECTION 25, ALL LOCATED IN TOWNSHIP 11 NORTH, RANGE 6  
EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA AND BEING MORE  
PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 2, ALSO BEING ON THE  
WEST RIGHT-OF-WAY LINE OF INTERSTATE 80; THENCE ON SAID WEST  
RIGHT-OF-WAY LINE FOR THE NEXT 6 COURSES, S28°16'42"W, 495.92 FEET;  
THENCE S39°44'07"W, 395.97 FEET; THENCE S42°30'08"W, 774.29 FEET;  
THENCE S89°38'56"E, 73.98 FEET; THENCE S50°54'08"W, 146.07 FEET; THENCE  
S35°44'12"W, 247.38 FEET; THENCE N39°41'49"W, 486.71 FEET; THENCE  
N54°14'58"W, 310.93 FEET TO THE SOUTHEAST RIGHT-OF-WAY LINE OF  
HUMPHREY AVENUE; THENCE ON SAID SOUTHEAST RIGHT-OF-WAY LINE,  
N35°44'42"E, 1,302.99 FEET TO THE NORTHWEST CORNER OF SAID LOT 2,  
ALSO BEING THE SOUTH LINE OF SAID SECTION 25; THENCE ON SAID SOUTH  
LINE, N89°31'36"W, 88.20 FEET; THENCE N35°45'02"E, 419.00 FEET; THENCE  
NORTHERLY ON A 814.00 FOOT RADIUS CURVE TO THE LEFT, AN ARC LENGTH  
OF 642.41 FEET (LONG CHORD BEARS N13°08'30"E, 625.87 FEET); THENCE  
S90°00'00"E, 1,064.73 FEET TO THE WEST RIGHT-OF-WAY LINE OF INTERSTATE  
80; THENCE ON SAID WEST RIGHT-OF-WAY LINE, S20°55'40"W, 1,026.18 FEET  
TO THE POINT OF BEGINNING, CONTAINING 2,298,860.14 SQUARE FEET (52.77  
ACRES) MORE OR LESS.**





2002 aerial

## Special Permit #04067 Stone Bridge Creek Humphrey Ave & Redstone Rd.

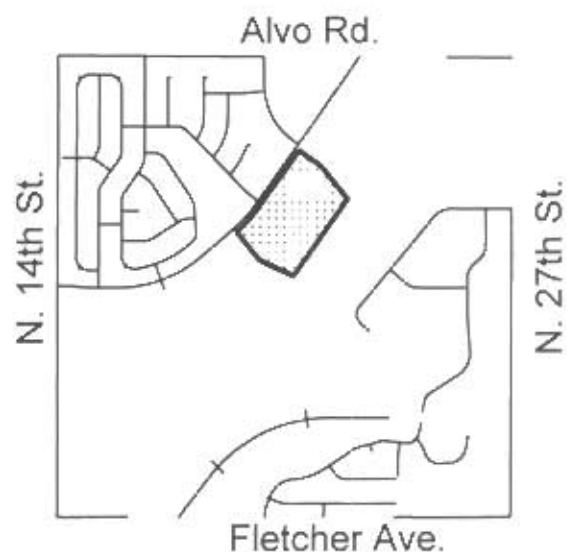
### Zoning:

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

One Square Mile  
Sec. 36 T11N R6E

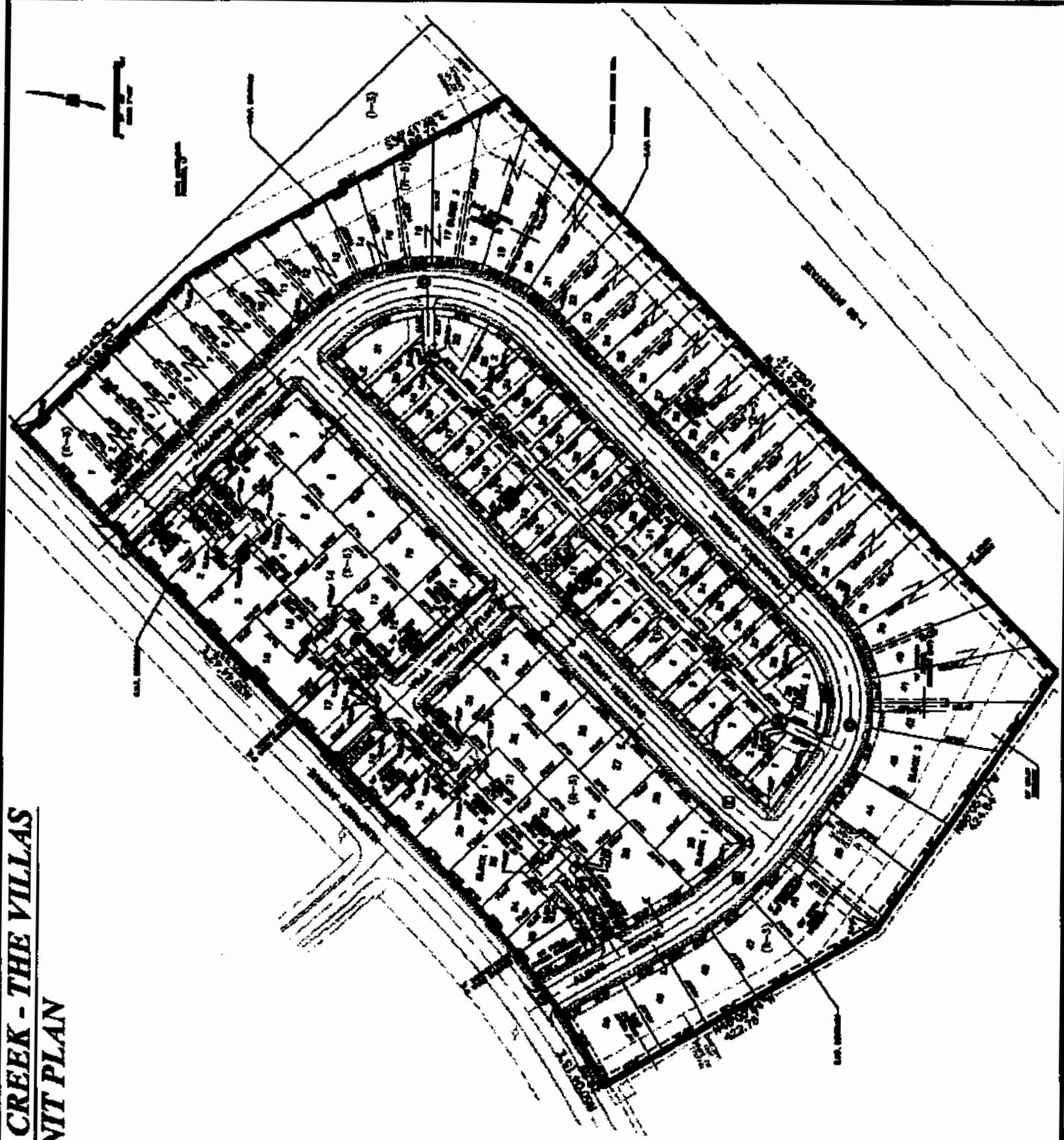


Zoning Jurisdiction Lines  
City Limit Jurisdiction



Lincoln City - Lancaster County Planning De





**STONE BRIDGE CREEK - THE VILLAS**  
**COMMUNITY UNIT PLAN**

**THE UNIVERSITY OF CHICAGO**  
**CHICAGO, ILLINOIS 60637**  
**U.S.A.**

ANTHONY GUNZ, A7A

**FRONT PAGE CONTINUED DATA**

**14-00000**

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STONE BRIDGE CREEK VILLAS  
COMMUNITY UNIT PLAN

A PORTION OF LOT 1, BLOCK 5, STONE BRIDGE CREEK ADDITION LOCATED IN THE NORTH HALF OF SECTION 36, TOWNSHIP 11 NORTH, RANGE 6 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1, ALSO BEING ON THE SOUTHEAST RIGHT-OF-WAY LINE OF HUMPHREY AVENUE; THENCE ON SAID SOUTHEAST RIGHT-OF-WAY LINE FOR THE NEXT 3 COURSES, N50°04'15"E, 26.89 FEET; THENCE NORTHEASTERLY ON A 1,236.00 FOOT RADIUS CURVE TO THE LEFT, AN ARC LENGTH OF 307.20 FEET (LONG CHORD BEARS N42°52'12"E, 306.41 FEET); THENCE N35°44'42"E, 850.23 FEET; THENCE S54°14'58"E, 310.93 FEET; THENCE S39°41'49"E, 486.71 FEET TO THE SOUTHEAST LINE OF SAID LOT 1, ALSO BEING THE NORTH RIGHT-OF-WAY LINE OF INTERSTATE #80; THENCE ON SAID NORTH RIGHT-OF-WAY LINE, S35°44'12"W, 1,082.14 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE ON THE SOUTHWEST LINE OF SAID LOT 1 FOR THE NEXT 2 COURSES, N65°05'17"W, 424.64 FEET; THENCE N40°00'54"W, 422.75 FEET TO THE POINT OF BEGINNING, CONTAINING 947,220.00 SQUARE FEET (21.75 ACRES) MORE OR LESS.

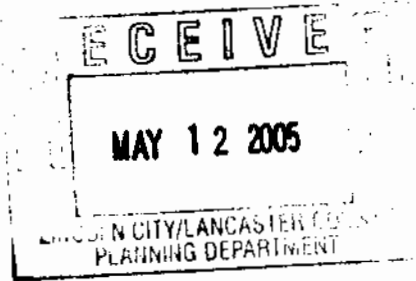


Engineering Design Consultants

2200 Fletcher Ave.  
Suite 102  
Lincoln, NE 68521  
Ph 402-438-4014  
Fx 402-438-4026

May 12, 2005

Rebecca Horner  
Planning Department  
City-County Building  
555 South 10<sup>th</sup> Street  
Lincoln, NE 68508



RE: Stone Bridge Creek – The Villas  
Community Unit Plan, Use Permit, Change of Zone, & Annexation  
Modification of submitted application  
EDC Job # 04-033-025

Dear Becky,

On behalf Engineering Design Consultants client, Stone Bridge Creek L.L.C, we hereby submit the following changes to the previously submitted above referenced applications for review:

1. The Community Unit Plan legal description and boundary has been revised to exclude Outlot A and is now located on the rear lot line of Lots 1 – 18, Block 3.
2. The Use Permit legal description and boundary has been revised to include Outlot A.
3. The change of zone exhibit from I-3 to R-3 has been revised per the exclusion of Outlot A from the Community Unit Plan.
4. An 8 foot high concrete fence is proposed to be constructed on the I-3 property adjacent to the proposed R-3 property to meet the I-3 screening requirements per the I-3 zoning ordinance.
5. The Landscape Plan has been revised to meet the required landscape requirements per the Community Unit Plan zoning ordinance.
6. An agreement between Stone Bridge Creek L.L.C and Kuck Investment Partners LP has been reached in regards to the 300 foot buffer between R-3 residential and I-3 industrial.

If you have any additional questions or concerns please contact me at 438-4014 or at [jthiellen@edc-civil.com](mailto:jthiellen@edc-civil.com).

Sincerely,

ENGINEERING DESIGN CONSULTANTS, L.L.C.

Jason M. Thiellen  
Land Planner

Enclosure  
8 Sets of Sheets 1 – 7, Community Unit Plan  
8 Set of Sheets 1 – 6, Use Permit  
c: Bob Lewis

# Memorandum

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**To:** Becky Horner, Planning Department  
**From:** Chad Blahak, Public Works and Utilities  
**Subject:** Stone Bridge Creek UP #139  
**Date:** May 26, 2005  
**cc:**

Engineering Services has reviewed the revised plans for the amendment to the Stone Bridge Creek use permit, located at the south corner of Humphrey Avenue and Centurion Drive. This review is based on this generic use permit. As specific uses are identified, amendments to this use permit showing how the individual uses will be provided sewer, water, storm drainage, and street access will need to be approved by Public Works. Public Works has the following comments on this generic use permit:

- **Sanitary Sewer** - The sewer system is satisfactory.
- **Water Mains** - The following comments need to be addressed.
  - (2.1) The water main shown as existing in Lot 2 serving the existing buildings needs to be labeled as private and the meter structure needs to be shown on the plans.
- **Grading/Drainage** - The following comments need to be addressed.
  - (3.1) The existing 100 year flood plain and floodway, if it is present in the northeast corner of this plat, needs to be shown and clearly labeled.
  - (3.2) Any impacted existing wetlands need to be shown and clearly labeled on the plans.
  - (3.3) The required detention for Lot 3 in Block 13 is located outside of this use permit and on land not owned by this applicant. Information needs to be provided to the satisfaction of Public Works that this applicant has permission to conduct the proposed grading to provide the required detention off site. If permission is not granted to conduct the necessary grading, the grading and drainage plan will need to be revised to show the required detention located within the boundaries of this use permit. This may require revisions to the site plan as well.
- **Streets** - The street system is satisfactory for this generic use permit.

**General** - The information shown on the preliminary plat relating to the public water main

system, public sanitary sewer system, and public storm sewer system has been reviewed to determine if the sizing and general method providing service is satisfactory. Design considerations including, but not limited to, location of water main bends around curves and cul-de-sacs, connection of fire hydrants to the public main, temporary fire hydrant location, location and number of sanitary sewer manholes, location and number of storm sewer inlets, location of storm sewer manholes and junction boxes, and the method of connection storm sewer inlets to the main system are not approved with this review. These and all other design considerations can only be approved at the time construction drawings are prepared and approved.

# Memorandum

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**To:** Becky Homer, Planning Department  
**From:** Chad Blahak, Public Works and Utilities  
**Subject:** Stone Bridge Creek - The Villas CUP SP #04067  
**Date:** May 26, 2005  
**cc:** Randy Hoskins

Engineering Services has reviewed the Stone Bridge Creek Villas, located east of Humphrey Avenue at Redstone Road, and has the following comments:

- **Sanitary Sewer** - The following comments need to be addressed.
  - (1.1) A waiver of design standards for sewer running opposite street grades needs to be requested and justified. Public Works would approve this waiver provided that the sewer does not exceed minimum and maximum depths.
- **Water Mains** - The water system is satisfactory.
- **Grading/Drainage** - The grading and drainage plan is satisfactory.
- **Streets** - The following comments need to be addressed.
  - (4.1) A waiver of design standards for permanent turnaround geometry on a private street needs to be requested and justified for Lorenzo Place, Siena Place, Lucca Place, and Florence Place. Public Works would approve this waiver due to the short cul-de-sac lengths and low number of units taking access to the cul-de-sacs.
  - (4.2) Public Works approves the requested waivers of design standards for private roadway cross-sections to allow an inverse crown and to not require curb and gutter.
  - (4.3) The sidewalk on the east side of Humphrey Avenue and all sidewalks adjacent to Block 2 will be required to be 5' wide due the exceeding of the maximum driveway spacing stated in ADA requirements. A note or dimensions should be shown on the plans to reflect this requirement.
  - (4.4) A waiver of subdivision ordinance requirements for double frontage lots needs to be requested. Humphrey Avenue is not a major street but potentially will carry higher volume commercial traffic. Due to the higher volume

commercial traffic, Public Works would support this waiver. Also, since Humphrey is not a major street and the lot depth waiver does not appear necessary.

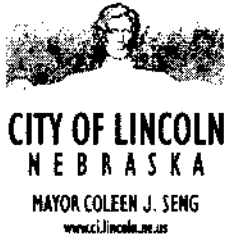
**General** - The information shown on the preliminary plat relating to the public water main system, public sanitary sewer system, and public storm sewer system has been reviewed to determine if the sizing and general method providing service is satisfactory. Design considerations including, but not limited to, location of water main bends around curves and cul-de-sacs, connection of fire hydrants to the public main, temporary fire hydrant location, location and number of sanitary sewer manholes, location and number of storm sewer inlets, location of storm sewer manholes and junction boxes, and the method of connection storm sewer inlets to the main system are not approved with this review. These and all other design considerations can only be approved at the time construction drawings are prepared and approved.

- The LLCHD requests to replace use permit #139A's general site note number 19 with the following language, "Storage or use of hazardous materials defined by any and all of these definitions **Hazardous Materials** as defined by Secretary of Transportation in (49 U.S.C. 5103) and materials listed in the Hazardous Materials Table 49 CFR 172.101). **Hazardous Substances** as defined or designated in 40 CFR 302 and table 302.4. **Extremely Hazardous Substances** as identified in Title III of Superfund Amendments and Reauthorization Act (SARA) of 1986 (40 CFR Part 355). **Toxic Chemicals** as listed and identified in Title III of SARA. **Hazardous Wastes** that are regulated under the Resource, Conservation and Recovery Act (40 CFR Part 261.33). Hazardous wastes in transportation are regulated by DOT (49 CFR Parts 170 - 179). **Hazardous Chemicals** as the United States Occupational Safety and Health Administration (OSHA) uses the term hazardous chemical to denote any chemical that would be a risk to employees if exposed in the work place. **Hazardous Substances** as defined by OSHA in 29 CFR Part 1910.120 shall not be allowed within 300 feet of a residential dwelling.
- The LLCHD notes the proposed residential development is located in close proximity to Interstate 80 and has concerns relative to interstate noise pollution impacting future residents. The LLCHD advises that the Nebraska Department of Roads I-80 Upgrade Draft Environmental Assessment be consulted relative to the predicted noise contours for this area. This noise contour data should be used along with referencing LMC 8.24 Noise Control Ordinance for what are acceptable residential zoning noise standards to establish an appropriate buffer that will protect future residential populations from Interstate 80 noise pollution. The submitted documentation for the proposed development does not include language regarding possible noise abatement strategies to address interstate noise. The



LLCHD requests information relative to what noise abatement strategies will be incorporated into this development to help attenuate the Interstate 80 noise pollution.

- The LLCHD advises that noise pollution can be a concern when locating industrial zoning adjacent to residential zoning. Lincoln Municipal Code (LMC) 8.24 Noise Control Ordinance does address noise pollution by regulating source sound levels based upon the receiving land-use category or zoning. However, the LLCHD does have case history involving residential uses and abutting industrial uses in which the commercial source does comply with LMC 8.24, but the residential receptors still perceive the noise pollution as a nuisance. The LLCHD strongly advises the applicant to become familiar with LMC 8.24. The LLCHD advises against locating loading docks, trash compactors, etc. adjacent to residential zoning. Therefore, creative site design should be utilized to locate potential sources of noise pollution as far as possible from residential zoning.
- All wind and water erosion must be controlled during construction. The Lower Platte South Natural Resources District should be contacted for guidance in this matter.
- During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of ground cover will also be incorporated as necessary.



**PUBLIC WORKS AND  
UTILITIES DEPARTMENT**

***Memorandum***

**Date:** 4/14/2005

**To:** *Becky Horner*

**From:** *Devin Biesecker*

**Subject:** *Stone Bridge Creek - Use Permit #139*

**cc:** *Ben Higgins, Chad Blahak*

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Below are Watershed Management's comments for the Amendment to Stone Bridge Creek, Use Permit #139.

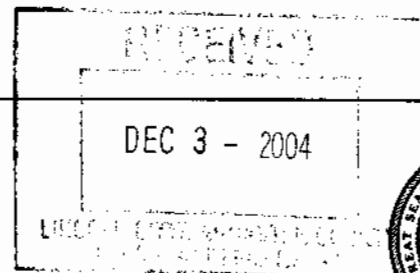
1. The analysis shows hydrologic soil types B & C in both the existing and proposed models. The Lancaster County Soil maps show the soil types in this location to be hydrologic soil types B & D. Revise the Detention Analysis to show the proper soil types for this area.
2. Some of the detention for the use permit is located outside of the permit area, this area is also shown as a proposed mitigation site for wetland and stream impacts. A copy of the approval from the Corps of Engineers for the mitigation site must be submitted to Public Works. If approval has not been granted for the mitigation site an alternate site for detention may have to be submitted and approved.
3. The Detention area located adjacent to N 27<sup>th</sup> Street is located in the Little Salt Creek Floodplain. This area is considered a "New Growth Area" and is subject to the new No Net Rise floodplain standards. Documentation for the No Net Rise requirement listed in Chapter 10.3 of the Drainage Criteria Manual must be submitted to Public Works.

# STATE OF NEBRASKA

## DEPARTMENT OF ROADS

John L. Craig, Director  
1500 Highway 2  
PO Box 94759  
Lincoln NE 68509-4759  
Phone (402)471-4567  
FAX (402)479-4325  
www.dor.state.ne.us

December 1, 2004



Mike Johanns  
Governor

Becky Homer  
City of Lincoln Planning  
555 South 10th, Room 213  
Lincoln, NE 68508

Re: Stone Bridge Creek – The Villas

A noise study was performed for I-80/Lincoln according to the 23 Code of Federal Regulations (CFR) Part 772 (Federal Highway Administration).

Review of the site plan for Stone Bridge Creek – The Villas shows that lots adjacent to I-80 would be over 71 dBA in the future design year situation (2020). A residential receptor is considered noise impacted at 66 dBA. Taking this into consideration, the entire Stone Bridge Creek – The Villas development is predicted to be noise impacted.

Quality of life would be greatly compromised for receptors nearest I-80 if this development were built as presently proposed due to the close proximity to I-80 as well as lack of noise attenuation. Face-to-face conversation in a backyard area adjacent to I-80 would be difficult without shouting. Future residents would seek help from the State and City to alleviate their situation.

We recommend the developer construct a combination earthen berm and wall to reduce the noise impact that would exist as the development is being proposed.

The environmental document for Project No. IM-80-9(872), I-80 Upgrade Lincoln to Omaha, has been federally approved and signed as of June 25, 2003. Stone Bridge Creek – The Villas was not platted for development at the time the environmental document was signed. The State of Nebraska will not provide noise abatement for developments that are proposed after that signing date, in accordance with the federally approved NDOR Noise Analysis and Abatement Policy, May, 1998.

If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Ottemann".

Mark Ottemann  
Phone: 479-4684  
Noise, Air and Utilities Engineer  
Planning & Project Development Division

cc: Ray Hill, City of Lincoln Planning Department



INTER-DEPARTMENT COMMUNICATION



**DATE:** December 13, 2004  
**TO:** Becky Horner, City Planning  
**FROM:** Sharon Theobald  
Ext 7640  
**SUBJECT:** DEDICATED EASEMENTS  
DN# 72N-21E

Ref. S.P.#04067  
C2# 04081

Attached is the C.U.P. for Stone Bridge Creek – The Villas.

**In reviewing the dedicated transmission line or other electrical easements shown on this plat, LES does not warrant, nor accept responsibility for the accuracy of any such dedicated easements.**

ALLTEL, Time Warner Cable, and the Lincoln Electric System will require the additional easements marked in red on the map, along with blanket utility easements over all of the Outlots.

Please add, as a stipulation, the following:

Any construction or grade changes in LES transmission line easement corridors are subject to LES approval and must be in accordance with LES design and safety standards.

Landscaping material selections within easement corridors shall follow established guidelines to maintain minimum clearance from utility facilities.

Also, enclosed is a copy of the 115kV Transmission Line easement that crosses through Block 3 and Outlot A. It is recorded as instrument No. 78-33757.

*Sharon Theobald*

ST/ss  
Attachment  
c: Terry Wiebke  
Easement File ✓



**Dennis L Roth**

04/04/2005 09:46 AM

To: Rebecca D Homer/Notes@Notes

cc:

Subject: re: Stone Bridge Creek - The Villas

PROJ NAME: Stone Bridge Creek - The Villas  
PROJ NMBR: SP040467, CZ04081, UP139A, AN05009  
PROJ DATE: 03/22/2005  
PLANNER: Becky Horner

Finding ONE similar/duplicate street names within our database, other than those which are obvious extensions of an existing street.

**PROPOSED**

Lucca Pl

**EXISTING**

Luke St (W Luke St)

Dennis "denny" Roth, ESD II/CAD Admin  
Emergency Communications 9-1-1 Center

CROSS STs: Redstone Rd and Humphrey Ave

PUBLIC STs: Albani Ave, Battista Ave, Francesca Ave, Palladin Ave, Siena Pl and Villa Dr

PVT STs: Florence Pl, Lorenzo Pl, Lucca Pl and Siena Pl,

COMMENTS: Received 04/04/05  
Preliminary plat shows Lucca running east off Villa Dr and Siena running west. It would be more desirable and keeping with City Ordinance to have both segments named the same. With our objections to Lucca, Siena is preferred.

RECOMMEND **Conditional** Approval

**message to Becky Horner**

**Richard J Furasek**  
04/04/2005 12:13 PM

To: Rebecca D Horner/Notes@Notes  
cc:  
Subject: Stone Bridge Creek - The Villas

Upon review of Special Permit (CUP) # SP04067 - CUP, Change of Zone (PUD) # CZ04081, Use Permit # UP139A. and Annexation # AN05009, we have no objections from the utilities plan for this area. Our main concern is our lack of Fire Department facilities and resources in the area, which creates increased response times, which does not allow us to provide the type of emergency response in a timely fashion that our citizens have grown to expect from our Department.

Richard J. Furasek  
Assistant Chief Operations  
Lincoln Fire & Rescue  
1801 Q Street  
Lincoln Ne. 68508  
Office 402-441-8354  
Fax 402-441-8292

message to Becky Horner

**IMPORTANT**

Return this report with two sets of corrected plans. The corrections noted below are required to be made to the plans prior to issuance of a permit. Please indicate under each item where the correction is made by plan sheet number or plan detail number.

A separate set of plans for review and final approval must be submitted by the licensed installing contractor/s if fire suppression systems, sprinklers, dry powder, fire alarm systems or underground tanks are installed.

Permit # **DRF05062**

Address

Job Description: Development Review - Fire

Location: **STONE BRIDGE CREEK - THE VILLAS**

Special Permit: Y 04067

Preliminary Plat:

Use Permit: Y 139A

CUP/PUD:

Requested By **BECKY HORNER**

Status of Review: Approved

04/04/2005 7:23:48 AM

Reviewer: FIRE PREVENTION/LIFE SAFETY CODE

BOB FIEDLER

Comments: approved

**Current Codes in Use Relating to Construction Development in the City of Lincoln:**

2000 International Building Code and Local Amendments  
2000 International Residential Code and Local Amendments  
1994 Nebraska Accessibility Guidelines (Patterned after and similar to ADA guidelines)  
1989 Fair Housing Act As Amended Effective March 12, 1989  
1979 Zoning Ordinance of the City of Lincoln as Amended including 1994 Parking Lot Lighting Standards  
1992 Lincoln Plumbing Code (The Lincoln Plumbing Code contains basically the 1990 National Standard Plumbing Code and local community Amendments.)  
1999 National Electrical Code and Local Amendments  
1997 Uniform Mechanical Code and Local Amendments  
1994 Lincoln Gas Code  
2000 NFPA 101 Life Safety Code  
2000 Local Amendments International Firecode  
Applicable NFPA National Fire Code Standards

APR - 4 2005